IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

FRIDAY, THE 5TH OCTOBER 2007 / 13TH ASWINA 1929

Bail Appl..No. 6042 of 2007()

CR.NO.59/03 OF AMARAVILA EXCISE RANGE.

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: PETITIONER/2ND ACCUSED

ANILKUMAR, AGED 38, S/O. MRUTHUNJAYA
PANICKER, PRASANTH VILASAM, ATTOOR DESOM,
MANJAMCODE P.O., OTTASEKHARAMANGALAM VILLAGE,
NEYYATTINKARA TALUK, THIRUVANANTHAPURAM.

BY ADV. SRI.S.VISHNU
SRI.MANOJ RAMASWAMY

RESPONDENTS: COMPLAINANTS

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1. STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

2. EXCISE INSPECTOR,
AMARAVILA EXCISE RANGE, AMARAVILA.

BY PUBLIC PROSECUTOR SRI.S.U. NAZAR.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 05/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

B.A. NO. 6042 of 2007

Dated this the 5th day of October, 2007

ORDER

Second application for regular bail. The petitioner faces allegations under the Kerala Abkari Act. He was allegedly found to be in possession of 500 ml. of arrack on 5/6/03. The petitioner was produced before the learned Magistrate in this case on the basis of a production warrant on 17/8/07. He continues in custody from that date. The learned Public Prosecutor submits that the petitioner has no earlier cases under the Abkari Act alleged against him.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer and I am satisfied that the petitioner can now be enlarged on bail subject to appropriate terms and conditions.

3. **In the result:**

(a) The application is allowed.

(b) The petitioner shall be released on bail on the

following terms and conditions:

(i) The petitioner shall execute a bond for Rs.25,000/- with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

(ii) The petitioner shall make himself available for interrogation before the Investigating Officer as and when directed by the Investigating Officer in writing to do so.

(R. BASANT, JUDGE)

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